

Attorney Docket No.: RTS-0200
Inventors: Gaarde and Watt
Serial No.: 10/006,911
Filing Date: November 8, 2001
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REMARKS

Claims 1, 2, 4-10 and 12-15 are pending in the instant application. Claims 1, 2, 12 and 14 have been rejected. Claims 4-10, 13 and 15 have been objected to. Claim 1 has been amended. No new matter has been added by these amendments. Reconsideration is respectfully requested in light of these amendments and the following remarks and in accordance with the telephone interview with the Examiner on September 1, 2004.

I. Objection to the Claims

Claims 4-10, 13 and 15 have been objected to as being dependent on a rejected base claim, but the Examiner states they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have amended claim 1 in accordance with the discussion during the telephone interview. Reconsideration of this objection is respectfully requested.

II. Rejection of Claims Under 35 U.S.C. 102/103

Claims 1, 2, 12 and 14 have been rejected under 35 U.S.C. 102(e) and 103(a) as being anticipated by or obvious by Nakamura et al. (U.S. Patent 6,218,115 B1). The Examiner suggests that this patent discloses a sequence that possesses 77.4% identity with

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residues 1377 through 1407 of the instant invention and thus would specifically hybridize with this region. The Examiner further suggests that although this reference does not teach the function of inhibiting SEQ ID NO: 3 of the instant invention, the sequence identified meets all of the structural limitations of the instant claims and absent evidence to the contrary would possess the function. Applicants respectfully traverse this rejection.

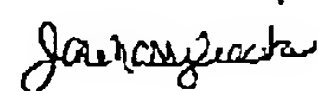
As discussed during the telephone interview, Nakamura et al. teach a sequence which possesses 77.4% identity with the reverse complement of residues 2722 through 2755 of SEQ ID NO:3. Accordingly, Applicants have amended claim 1 to recite modified compounds targeted to nucleobases 1345 through 2976 of a coding region of a nucleic acid molecule encoding human collapsin response mediator protein 2 (SEQ ID NO:3) to make clear that the sequences are distinct. Further, Nakamura et al. do not teach or suggest antisense compounds or modified compounds. In order to anticipate or make obvious an invention, the cited reference must teach or suggest each of the claimed limitations (MPEP 2131 and 2143). Therefore, this reference fails to anticipate or make obvious the invention as now claimed because it fails to teach all of the claimed limitations. Accordingly, withdrawal of this rejection is respectfully requested.

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III. Conclusion

Applicants believe that the foregoing comprises a full and complete response to the Office Action of record and is in accordance with the discussion during the September 1, 2004 interview. Accordingly, favorable reconsideration and subsequent allowance of the pending claims is earnestly solicited.

Respectfully submitted,



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Date: September 8, 2004

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